

Introduced by Senator Cannella

February 27, 2015

An act to amend Section 39719 of the Health and Safety Code, relating to greenhouse gases, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 698, as introduced, Cannella. Active Transportation Program: school zone safety projects.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund. Existing law continuously appropriates 60% of the annual proceeds of the fund for transit, affordable housing, sustainable communities, and high-speed rail purposes.

Existing law creates the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation, such as biking and walking, with available funds to be allocated to eligible projects by the California Transportation Commission, as specified.

This bill would continuously appropriate an unspecified amount from the Greenhouse Gas Reduction Fund to the State Highway Account in the State Transportation Fund for purposes of funding school zone safety projects within the Active Transportation Program.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 39719 of the Health and Safety Code is
2 amended to read:
3 39719. (a) The Legislature shall appropriate the annual
4 proceeds of the fund for the purpose of reducing greenhouse gas
5 emissions in this state in accordance with the requirements of
6 Section 39712.
7 (b) To carry out a portion of the requirements of subdivision
8 (a), annual proceeds are continuously appropriated for the
9 following:
10 (1) Beginning in the 2015–16 fiscal year, and notwithstanding
11 Section 13340 of the Government Code, 35 percent of annual
12 proceeds are continuously appropriated, without regard to fiscal
13 years, for transit, affordable housing, and sustainable communities
14 programs as following:
15 (A) Ten percent of the annual proceeds of the fund is hereby
16 continuously appropriated to the Transportation Agency for the
17 Transit and Intercity Rail Capital Program created by Part 2
18 (commencing with Section 75220) of Division 44 of the Public
19 Resources Code.
20 (B) Five percent of the annual proceeds of the fund is hereby
21 continuously appropriated to the Low Carbon Transit Operations
22 Program created by Part 3 (commencing with Section 75230) of
23 Division 44 of the Public Resources Code. Funds shall be allocated
24 by the Controller, according to requirements of the program, and
25 pursuant to the distribution formula in subdivision (b) or (c) of
26 Section 99312 of, and Sections 99313 and 99314 of, the Public
27 Utilities Code.
28 (C) Twenty percent of the annual proceeds of the fund is hereby
29 continuously appropriated to the Strategic Growth Council for the
30 Affordable Housing and Sustainable Communities Program created
31 by Part 1 (commencing with Section 75200) of Division 44 of the
32 Public Resources Code. Of the amount appropriated in this
33 subparagraph, no less than 10 percent of the annual proceeds, shall
34 be expended for affordable housing, consistent with the provisions
35 of that program.

1 (D) ____ percent of the annual proceeds of the fund is hereby
2 continuously appropriated to the State Highway Account in the
3 State Transportation Fund for purposes of funding school zone
4 safety projects within the Active Transportation Program
5 established in Chapter 8 (commencing with Section 2380) of
6 Division 3 of the Streets and Highways Code.

7 (2) Beginning in the 2015–16 fiscal year, notwithstanding
8 Section 13340 of the Government Code, 25 percent of the annual
9 proceeds of the fund is hereby continuously appropriated to the
10 High-Speed Rail Authority for the following components of the
11 initial operating segment and Phase I Blended System as described
12 in the 2012 business plan adopted pursuant to Section 185033 of
13 the Public Utilities Code:

14 (A) Acquisition and construction costs of the project.

15 (B) Environmental review and design costs of the project.

16 (C) Other capital costs of the project.

17 (D) Repayment of any loans made to the authority to fund the
18 project.

19 (c) In determining the amount of annual proceeds of the fund
20 for purposes of the calculation in subdivision (b), the funds subject
21 to Section 39719.1 shall not be included.